

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

JAMES KENNETH HEDGEPEETH, Individually
and on Behalf of All Others Similarly Situated

PLAINTIFFS

vs.

No. 1:05CV142-D-A

BLUE CROSS AND BLUE SHIELD OF MISSISSIPPI; et al.

DEFENDANTS

ORDER GRANTING MOTION TO STRIKE CLASS ALLEGATIONS,
DENYING MOTION TO DISMISS, AND OVERRULING APPEAL
OF MAGISTRATE'S RULING

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) the Defendant Blue Cross and Blue Shield of Mississippi's motion to strike class action allegations (docket entry 47) is GRANTED;
- (2) the Defendant Blue Cross and Blue Shield of Mississippi's motion to dismiss (docket entry 14) is DENIED; and
- (3) the Plaintiff's objections to the Magistrate Judge's order of November 21, 2005, which granted in part the Defendant's motion for protective order (docket entry 72) are OVERRULED, and the Magistrate Judge's November 21, 2005, order (docket entry 71) is AFFIRMED.

All memoranda, depositions, declarations and other materials considered by the court in ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED, this the 18th day of January 2006.

/s/ Glen H. Davidson
Chief Judge